

1 THE HONORABLE JAMES L. ROBART
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 9 ATIGEO LLC, a Washington limited
11 liability company; and MICHAEL
12 SANDOVAL, an individual,

13 Plaintiffs,

14 v.

15 13 OFFSHORE LIMITED D, a California
16 business organization, form unknown;
17 OFFSHORE LIMITED D, a California
18 partnership; DENNIS MONTGOMERY,
19 individually and as a partner of Offshore
Limited D; ISTVAN BURGYAN,
individually and as a partner of Offshore
Limited D; DEMARATECH, LLC, a
California limited liability company; and
DOES 1-10, inclusive,

Defendants.

Case No. 2:13-cv-01694 JLR

**DECLARATION OF HUNTER
FERGUSON IN SUPPORT OF
PLAINTIFFS' MOTION FOR
VOLUNTARY DISMISSAL**

20 I, Hunter Ferguson, declare and state:

21 1. I am an attorney with the law firm of Stoel Rives LLP and counsel for Plaintiff
22 Atigeo LLC in this matter. I am competent to testify, and this declaration is based on my
23 personal knowledge unless the context indicates otherwise.

24 2. As used herein, the terms listed below have the following defined meanings.

25 a. "Plaintiffs" refers collectively to Atigeo LLC and Michael Sandoval.

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- 1 b. "Defendants" refers collectively to the individual defendants in his matter,
- 2 Dennis Montgomery and Istvan Burgyan.
- 3 c. "Plaintiffs' counsel" refers to my colleagues and me at Stoel Rives
- 4 representing Atigeo and to Roland Tellis, Atigeo's co-counsel and counsel for
- 5 Plaintiff Michael Sandoval, together and/or individually.
- 6 d. "Defendants' counsel" refers to Shellie McGaughey and Peter Nierman,
- 7 counsel for Defendants Istvan Burgyan and Dennis Montgomery, together
- 8 and/or individually.

9 3. Attached hereto as **Exhibit 1** are true and correct copies of excerpts of business
10 records produced by Network Solutions LLC regarding the account used to register the
11 <atigeo.co> domain name and the domain name of the other websites at issue in this case, in
12 response to a subpoena and subsequently produced to Defendants as PLTFS 0001-0212.

13 4. Attached hereto as **Exhibit 2** is a true and correct copy of Defendants' Initial
14 Disclosures produced in this matter.

15 5. Attached hereto as **Exhibit 3** is a true and correct copy of the March 28, 2014
16 email from Plaintiffs' counsel to Defendants' counsel transmitting the business records received
17 from Network Solutions pertaining to the account related to the domain names and websites at
18 issue in this case.

19 6. Attached hereto as **Exhibit 4** are true and correct copies of screen shots of the
20 websites for Pacific Coast Innovations or PCI that I directed my paralegal to create from the
21 currently available website for this company, www.pcinx.com, and archives of past versions of
22 this website available through the "Way Back Machine," a digital archive of the World Wide
23 Web.

24 7. Attached hereto as **Exhibit 5** is a true and correct copy of the "Business Entity
25 Detail" report publicly available from the California Secretary of State's Office for Pacific Coast
26 Innovations, LLC.

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1 8. Attached hereto as **Exhibit 6** is a true and correct copy of a screenshot of Istvan
2 Burgyan's LinkedIn profile.

3 9. Attached hereto as **Exhibits 7 and 8**, respectively, are true and correct copies of
4 excerpts of Atigeo's answers to interrogatories propounded by Mr. Montgomery and Mr.
5 Burgyan.

6 10. Attached hereto as **Exhibit 9** is a true and correct copy of a screenshot of Mr.
7 Burgyan's publicly available facebook page information.

8 11. Attached hereto as **Exhibit 10** is a true and correct of a screenshot of the LinkedIn
9 profile for LumaSkinz LLC.

10 I declare under penalty of perjury of the laws of the United States that the foregoing is
11 true and correct.

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13 Executed this 18th day of July 2014 in Seattle, Washington.

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s/Hunter Ferguson
Hunter Ferguson

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STOEL RIVES LLP
ATTORNEYS
600 University Street, Suite 3600, Seattle, WA 98101
Telephone (206) 624-0900

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following participants:

Paul Edward Brain pbrain@paulbrainlaw.com, jdavenport@paulbrainlaw.com

Shellie McGaughey shellie@mcbdlaw.com, katie@mcbdlaw.com

Stoel Rives LLP

s/Melissa Wood
Melissa Wood, Legal Secretary
Dated at Seattle, WA on July 18, 2014

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